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February 26, 2001

Magalie Roman Salas, Secretary
Federal Communications Commission
TW-A325
445 12th Street, S.W.
Washington, DC 20554

ORIGINAL

Re: ***Ex Parte Presentation***

**In the Matter of Communications Assistance for Law Enforcement Act,
CC Docket No. 97-213**

CTIA Petition to Suspend CALEA Compliance Due Date (DA00-2022)

**Commission Seeks Comments to Update the Record in the CALEA Technical
Capabilities Proceeding CC Docket No. 97-213 (DA00-2342)**

Dear Ms. Salas:

Syndeo Corporation, pursuant to Section 1.1206 of the Commission's rules, hereby submits an original and four copies of a notification of a written *ex parte* contact. Please associate this letter with the file in the above-captioned proceedings.

If there are any questions concerning this filing, please do not hesitate to contact the undersigned counsel.

Respectfully submitted,



Lawrence Roberts
Mark P. Trinchero
Holly Rachel Smith

Counsel for Syndeo Corporation

Enclosure

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February 26, 2001

Dorothy Attwood, Chief
 Common Carrier Bureau
 Federal Communications Commission
 445 12th Street, SW, Suite 6-A207
 Washington, DC 20554

Re: ***Ex Parte Presentation***

**In the Matter of Communications Assistance for Law Enforcement Act,
 CC Docket No. 97-213**

CTIA Petition to Suspend CALEA Compliance Due Date (DA00-2022)

**Commission Seeks Comments to Update the Record in the CALEA Technical
 Capabilities Proceeding CC Docket No. 97-213 (DA00-2342)**

Dear Ms. Attwood:

As a manufacturer of next-generation switching equipment which creates a superior platform for the creation of an extensive suite of IP-based, competitively enhanced local services, Syndeo Corporation ("Syndeo") submits this written *ex parte* presentation.

Although some of Syndeo's customers are providers of information services, some companies using Syndeo's product are providers of telecommunications services or may, by virtue of other actions, be "telecommunications carriers" for purposes of the Communications Assistance for Law Enforcement Act ("CALEA"). Syndeo submits this filing to express concern regarding the September 30, 2001, compliance date in light of the many remaining unresolved issues in CC Docket No. 97-213 and the recent granting of the petitions of numerous wireline telecommunications carriers seeking extensions of the deadline for complying with the capability requirements.¹

¹ See Public Notice DA 01-489 in CC Docket No. 97-213.

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First, the Commission has yet to issue a decision regarding the four vacated and remanded “punch list” capabilities. With respect to the packet-mode capability requirement, the Commission and the industry have failed to provide a solution to address the inability to separate call identifying from call content information. Yet, as it stands, carriers must comply with the two unchallenged “punch list” items and the packet mode capability requirement by the September 2001 deadline, only five months away.

Currently, the Commission has under consideration the four remanded “punch-list” items. Under the current timeline, it is almost unavoidable that Syndeo and its customers that are providers of telecommunications services will have to undergo two implementations of the CALEA requirements within a short period of time. Thus, if the existing compliance date is not suspended by the Commission, Syndeo will have to undergo unnecessarily a costly redesign or reconfiguration of its products and Syndeo’s carrier customers will also have to undergo unnecessarily duplicative implementations of the network and software changes in order to comply with “interim” capability requirements. This inefficiency could be avoided if the Commission were to suspend the CALEA compliance deadline until the Commission adopts a complete list of capability requirements and manufacturers have enough lead time to respond to that decision.

Second, the Commission should suspend the compliance date for the packet mode capability until the privacy and security concerns articulated by the U.S. Court of Appeals for the D.C. Circuit are resolved and an industry solution to the inability to separate call identifying information from call content information exists. Although certain parts of the industry have identified potential solutions for some configurations,² as evidenced in the *TIA Report* filed in CC Docket No. 97-213, the solutions that currently exist “are extremely resource intensive and fluid due to the ever-changing protocols.”³ Thus, there is a need for the industry and the Commission to consider other technical solutions.

As the compliance date for CALEA approaches with many unresolved issues remaining, Syndeo emphasizes the need for a suspension of the September 2001 compliance date. Questions and

² See *PacketCable Electronic Surveillance Specification*, PKT-SP-ESP-101-99129 (1999); and www.packetcable.com.

³ See *Report on Surveillance of Packet-mode Technologies*, Telecommunications Industry Association, filed September 29, 2000.



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correspondence regarding this filing should be referred to the undersigned counsel for Syndeo Corporation.

Sincerely yours,

A handwritten signature in cursive script that reads "Lawrence Roberts".

Lawrence Roberts
Mark P. Trinchero
Holly Rachel Smith

Counsel for Syndeo Corporation

LR/hrs

Enclosures

cc: Chairman Michael K. Powell
Commissioner Susan Ness
Commissioner Harold W. Furchtgott-Roth
Commissioner Gloria Tristani
L. Charles Keller
Julius Knapp
Jerry Stanshine
Geraldine Matise
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